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March 18, 2004

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In re application of:
Hideaki Fukuzawa, et al DECISION ON PETITION
Serial No.: 09/973,235
Filed: October 10, 2001
For: MAGNETORESISTANCE EFFECT ELEMENT, MAGNETIC HEAD,
MAGNETIC HEAD ASSEMBLY, MAGNETIC STORAGE SYSTEM

This is a decision on the petition received on November 21 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed November 13, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned January 15, 2002. The notice of abandonment was mailed on November 10, 2003.

The evidence submitted is sufficient to establish that the petitioners should not have received the Notice to File Missing Parts mailed November 13, 2001. The notice was issued in error.

The petition is hereby Granted.

The office regrets any inconvenience this may have caused the client. The application has been completed for release to Technology Center 1773.

Telephone inquiries concerning this matter may be directed to Doshie E. Day (703) 308-3640.


Doshie E. Day
Program Management Assistant
Office Initial Patent Examination